

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM CARON,

Case No. 3:23-cv-00114-ART-CSD

Plaintiff

ORDER

v.

**NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,**

Defendants

On March 20, 2023, Plaintiff William Caron, an inmate in the custody of the Nevada Department of Corrections, submitted a civil-rights complaint under 42 U.S.C. § 1983 and filed a complete application to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Upon review, the Court notes that Plaintiff did not sign the complaint. (See ECF No. 1-1 at 4). Federal Rule of Civil Procedure 11(a) provides that every pleading, written motion, and other paper must be signed by at least one attorney for the party or, if the party is not represented by counsel, by the party personally. The Court cannot consider Plaintiff's complaint because it is not signed. And Plaintiff must sign the complaint himself because he is not represented by counsel.

IT IS THEREFORE ORDERED that Plaintiff has until April 26, 2023, to submit a signed amended complaint to the Court.

Plaintiff is advised that an amended complaint replaces the original complaint, so the amended complaint must be complete in itself. See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989). This means that submitting only a signature page will not be enough. Plaintiff should file the amended complaint on this Court's approved prisoner civil rights form, and it must be entitled "First Amended Complaint."

IT IS FURTHER ORDERED that this action will be subject to dismissal without prejudice if Plaintiff fails to file a signed amended complaint **by April 26, 2023**. A dismissal without prejudice allows Plaintiff to file his claims with the Court, under a new case

1 number, when he can file a signed complaint in compliance with Rule 11 and Local Rule
2 LSR 2-1.

3 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff Caron the
4 approved form for filing a § 1983 complaint, instructions for the same, and a copy of his
5 original complaint, including exhibits (ECF No. 1-1).

6 DATED: March 27, 2023.
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9 UNITED STATES MAGISTRATE JUDGE
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